

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TODD TONNOCHY,

Plaintiff,

V.

BRADLEY LEWIS, et al.,

## Defendants.

Case No.: 3:24-cv-00375-ART-CSD

## ORDER

(ECF No. 1)

9 On August 21, 2024, pro se plaintiff Todd Tonnochy, an inmate detained at the  
10 Washoe County Detention Center, submitted a complaint under 42 U.S.C. § 1983 and  
11 applied to proceed *in forma pauperis*. (ECF Nos. X, X). Plaintiff's application to proceed  
12 *in forma pauperis* is incomplete because **Plaintiff did not include an inmate trust fund**  
13 **account statement for the previous six-month period with the application.** The Court  
14 will deny Plaintiff's application without prejudice and give Plaintiff the opportunity to  
15 correct this deficiency **by November 15, 2024.**

## I. DISCUSSION

17        The United States District Court for the District of Nevada must collect filing fees  
18 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee  
19 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55  
20 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the  
21 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev.  
22 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate  
23 must submit **all three** of the following documents to the Court: (1) a completed  
24 **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the  
25 Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a  
26 completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is  
27 properly signed by both the inmate and a prison or jail official; and (3) a copy of the  
28 inmate’s prison or jail trust fund account statement for the previous six-month

1 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*  
 2 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
 3 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

4 As explained above, Plaintiff's application to proceed *in forma pauperis* is  
 5 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*  
 6 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing  
 7 fee or file a new fully complete application to proceed *in forma pauperis* with all three  
 8 required documents.

9 **II. CONCLUSION**

10 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)  
 11 is denied without prejudice.

12 It is further ordered that Plaintiff has **until November 15, 2024**, to either pay the  
 13 full \$405 filing fee or file a new fully complete application to proceed *in forma pauperis*  
 14 with all three required documents: (1) a completed application with the inmate's two  
 15 signatures on page 3, (2) a completed financial certificate that is signed both by the  
 16 inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account  
 17 statement for the previous six-month period.

18 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
 19 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
 20 to refile the case with the Court, under a new case number, when Plaintiff can file a  
 21 complete application to proceed *in forma pauperis* or pay the required filing fee.

22 The Clerk of the Court is directed to send Plaintiff Todd Tonnochy the approved  
 23 form application to proceed *in forma pauperis* for an inmate and instructions for the same  
 24 and retain the complaint (ECF No. 1-1) but not file it at this time.

25 DATED THIS 13th day of September 2024.  
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27  
 28

*CSJ*  
 UNITED STATES MAGISTRATE JUDGE